

### **REMARKS/ARGUMENTS**

Reexamination and reconsideration of this application is requested. Claims 11-18 remain pending in this application.

#### **Claim Rejections - under 35 USC § 102**

The Examiner rejected Claims 11-18 under 35 U.S.C. 102(e) as being anticipated by Fomukong (U.S. Patent 6,441,752). This rejection is respectfully traversed.

Submitted with this response is a Declaration under 37 C.F.R. § 1.131, executed by the Applicants of the instant application, and associated evidence, to establish that the invention claimed in the instant application was reduced to writing in the United States prior to December 30, 2000. Thus, the invention claimed in the present application was invented prior to December 30, 2000.

The Fomukong reference cited by the Examiner was filed in the U.S. Patent and Trademark Office on December 30, 2000, which is after the date of invention of the invention claimed in the instant application. Accordingly, Fomukong is removed as an available prior-art reference and cannot be cited against the present application in a rejection under 35 U.S.C. § 102(e). Therefore, it is respectfully submitted that the rejection of claims 11-18 under 35 U.S.C. § 102(e) should be withdrawn.

In view of the remarks above, Applicants believe that the rejection of Claims 11-18 under 35 U.S.C. 102(e) has been overcome. The Examiner should withdraw the rejection of these claims.

### **Conclusion**

The foregoing is submitted as full and complete response to the Official Action mailed February 13, 2004, and it is submitted that Claims 11-18 are in condition for allowance. Reconsideration of the rejection is requested. Allowance of Claims 11-18 is earnestly solicited.

Applicants acknowledge the continuing duty of candor and good faith to disclosure of information known to be material to the examination of this application. In accordance with 37 CFR §§ 1.56, all such information is dutifully made of record.

The present application, after entry of this amendment, comprises eight (8) claims, including five (5) independent claims. Applicants have previously paid for twenty (20) claims including eight (8) independent claims. Applicants, therefore, believe that an additional fee for claims amendment is currently not due.

Additionally, a petition for a one month extension of time to file this Response has been attached to this Response. The Commissioner is hereby authorized to charge the extension fee for response of (\$110), or if this fee amount is insufficient, then the Commissioner is authorized to charge the appropriate fee amount to prevent this application from becoming abandoned, to Deposit Account 50-1556.

**If the Examiner believes that there are any informalities that can be corrected by Examiner's amendment, or that in any way it would help expedite the prosecution of the patent application, a telephone call to the undersigned at (561) 989-9811 is respectfully solicited.**

The Commissioner is hereby authorized to charge any fees that may be required or credit any overpayment to Deposit Account 50-1556.

In view of the preceding discussion, it is submitted that the claims are in condition for allowance. Reconsideration and re-examination is requested.

Respectfully submitted,

Date: 6/14/04

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